

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:07CR120
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	
KRISTIE KILGORE,)	ORDER
)	
DEFENDANT.)	

On October 26, 2007, the Court sentenced Defendant to 16 months imprisonment, followed by 3 years supervised release for making, uttering and possessing counterfeit securities. Defendant's supervised release commenced on January 28, 2009.

On or about January 15, 2010, Defendant's probation officer submitted to the Court a Violation Report alleging three violations of the terms of Defendant's supervised release:

1. New Law Violation – On August 29, 2009, the defendant was arrested by the Mentor, Ohio Police, and charged with Theft of Merchandise, valued in excess of \$400.

2. Failure to Report Arrest – Ms. Kilgore failed to report her August 29, 2009 arrest by the Mentor, Ohio Police Department, to her U.S. Probation Officer.

3. Failure to Pay Restitution – Ms. Kilgore was ordered to pay restitution of \$3,477.00. The outstanding balance is \$3,47.00.

On January 19, 2010, the Court referred the matter to United States Magistrate Judge George J. Limbert to conduct the appropriate proceedings, except for sentencing, and issue a Report and Recommendation stating the Magistrate Judge's findings. (Dkt. #

128). In his Report and Recommendation, the Magistrate Judge recommended that the Court find Defendant in violation of the terms of her supervised release because, at the hearing before the Magistrate Judge, Defendant admitted to the alleged violations. (Dkt. # 134). The Magistrate Judge's Report and Recommendation is hereby **ADOPTED**.

On May 27, 2010, Defendant appeared before the Court for sentencing. The Court has considered the statutory maximum sentence of two years pursuant to 18 U.S.C. § 3583(e)(3). The Court has also considered the advisory policy statements set forth in Chapter Seven of the United States Sentencing Guidelines prior to imposing sentence. The guideline range is 8-14 months pursuant to U.S.S.G. § 7B1.4(a). Furthermore, the Court has considered the factors for sentencing listed in 18 U.S.C. § 3553(a) and 3583(d).

After review of the documents, and full consideration of the statements of Defendant, her counsel, and the U.S. Attorney, it is the **JUDGMENT** of this Court that Defendant be committed to the custody of the Bureau of Prisons for a term of eight (8) months. However, this sentence will be held in abeyance until the Defendant completes a 6 month program with the Mahoning County Community Corrections Association.

IT IS SO ORDERED.

/s/ Peter C. Economus – May 27, 2010
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE